

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>KENNETH E. DOROUGH,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL 2:09-CV-1129-VEH-PWG</b>
	)	
<b>FIRST COMMERCIAL BANK, a</b>	)	
<b>domestic corporation; EQUIFAX</b>	)	
<b>INFORMATION SERVICES, LLC,</b>	)	
<b>a foreign limited liability,</b>	)	
	)	
<b>Defendants.</b>	)	

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**MEMORANDUM OF OPINION**

The magistrate judge filed findings and recommendation on January 19, 2010, recommending that the above-captioned action be dismissed for want of prosecution. The parties were allowed until February 5, 2010 in which to file objections. Plaintiff's copy of the magistrate judge's findings and recommendation was returned by the postal service as undeliverable. No objections have been filed to the findings and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby **ADOPTED** and his recommendation is **ACCEPTED**. Accordingly, this

action is due to be **DISMISSED WITHOUT PREJUDICE** for want of prosecution.

A Final Judgment will be entered.

As to the foregoing it is **SO ORDERED** this the 9th day of February, 2010.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", written over a horizontal line.

**VIRGINIA EMERSON HOPKINS**  
United States District Judge